

Rather, the correctional officials' objective is to maintain security and control while permitting reasonable inmate access to telephone service. Because the objectives of BPP and correctional officials are incompatible, BPP must not be applied to inmate-only phones.

While the Commission stated that it is only proposing to apply BPP to aggregators, Notice at n. 7, and the Commission has already ruled that providers of inmate-only service are not aggregators, Operator Services Proceeding, 6 FCC Rcd 2744 at 2752, the ICSPTF believes it imperative that the Commission should continue to distinguish inmate-only phones from other phones to which general routing or service requirements are applied. Because correctional facilities are a unique, controlled environment requiring that a variety of social needs be balanced, BPP routing requirements are not appropriate at inmate-only phones. Just as the operator service rules do not apply to inmate-only phones, BPP requirements must not apply either.

#### IV. CONCLUSION

The uniqueness of the correctional facility environment and the specialized requirements associated with inmate-only phone service require that BPP not apply to inmate-only phones.

Just as operator service rules do not apply to inmate-only phones,  
BPP should not apply to inmate-only phones.

Respectfully submitted,

A handwritten signature in cursive script, appearing to read "Helen M. Hall", is written over a horizontal line.

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FEDERAL COMMUNICATIONS COMMISSION  
WASHINGTON, D.C. 20554

IN REPLY REFER TO:

Stop Code 1600A2  
IC-93-00840  
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Honorable David Price  
House of Representatives  
1406 Longworth House Office Building  
Washington, D.C. 20515

Dear Congressman Price:

Chairman Alfred C. Sikes has asked that I respond to your letter on behalf of Lindy Pendergrass, Sheriff of Orange County, North Carolina, regarding the Commission's billed party preference proposal. Billed party preference is the term used to describe a proposal to change the way local telephone companies handle certain operator service calls.

Currently, if a caller places a "0+" operator services call (that is, the caller dials "0" and then a long-distance telephone number, without first dialing a carrier access code, such as 10-ATT), the call is carried by the operator services provider presubscribed to the telephone line from which the call originated. The presubscribed carrier for public payphones is chosen by the payphone owner or the owner of the premises on which the payphone is located. Operator service providers compete for payphone presubscription contracts by offering significant commissions to premises owners on long-distance traffic and then including those commission costs in their own rates to consumers.

In April 1992, the Commission adopted a Notice of Proposed Rulemaking to consider whether the current presubscription system should be replaced by a billed party preference methodology. Under billed party preference, all 0+ calls would be handled automatically by the carrier predesignated by the party paying for the call. For example, a credit card call would be handled by the carrier that issued the card. A collect call would be handled by the carrier presubscribed to the called line.

Because billed party preference would replace the current presubscription system for operator services calls, operator service providers would no longer be likely to pay significant commissions to premises owners for presubscription contracts. In addition, billed party preference could make operator services much more user friendly for the calling public. In particular, it would allow callers to place their operator services calls without dialing access codes, while ensuring that the party paying for each call -- as opposed to the payphone or premises owner -- would determine the operator service provider to carry it.

Because of these and other benefits that potentially could be offered by billed party preference, the Commission tentatively concluded in its Notice of Proposed Rulemaking that billed party preference is, in concept, in the public interest. At the same time, the Commission sought detailed information and comment on a comprehensive range of issues relating to this proposal.

The Commission has thus far received extensive comment on the billed party preference proposal. Let me assure you that the Commission will carefully consider all of the ramifications of this important proposal before taking final action on it. We will incorporate your letter, including the letter from your constituent, in the record of this proceeding so that it may be accorded proper consideration by Commission staff.

Sincerely,

Cheryl A. Tritt  
Chief, Common Carrier Bureau